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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	X
THE PEOPLE OF THE STATE OF NEW YORK,	:
by ANDREW M. CUOMO, Attorney General of	:
the State of New York, and THE CITY OF NEW	:
YORK,	:
	:
Plaintiffs,	:
	:
- against -	:
	:
MERCK & CO., INC.,	:
	:
Defendant.	:
-----	X

No. 07 Civ. 8434 (GBD)

**NOTICE OF MOTION BY PLAINTIFFS THE PEOPLE OF THE STATE OF
NEW YORK AND THE CITY OF NEW YORK TO REMAND FOR LACK OF
FEDERAL SUBJECT MATTER JURISDICTION**

PLEASE TAKE NOTICE that, upon plaintiffs' Notice of Motion, the Declaration of Randall M. Fox and the accompanying Plaintiffs' Memorandum of Law in Support of Their Motion to Remand for Lack of Federal Subject Matter Jurisdiction, plaintiffs the People of the State of New York and The City of New York will move this Court in the

United States Courthouse for the Southern District of New York for an Order pursuant to 28 U.S.C. § 1447(c) remanding this action to the New York State Supreme Court for New York County.

Dated: New York, New York
October 26, 2007

ANDREW M. CUOMO
Attorney General of the State of New York
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S/

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